

INSTRUMENT PREPARED BY
VIRGINIA GAS AND OIL BOARD

ORDER RECORDED UNDER CODE
OF VIRGINIA SECTION 45.1-361.26

VIRGINIA:

BEFORE THE VIRGINIA GAS AND OIL BOARD

SUPPLEMENTAL ORDER REGARDING

DOCKET NO. VGOB 07/03/20-1904

ELECTIONS, UNIT: VC-537212

(hereinafter "Subject Drilling Unit")

TAX MAP IDENTIFICATION NUMBERS:

TAX MAP IDENTIFICATION NUMBERS FOR ALL PARCELS
AFFECTED BY THIS ORDER ARE SHOWN ON EXHIBIT (S) -
B & EE WHICH IS/ARE ATTACHED TO AND A PART OF
THIS ORDER.

REPORT OF BOARD

FINDINGS AND ORDER

1. This Supplemental Order is entered by the Board sua sponte in the form authorized by the Board at its hearing held at 9:00 a.m. on October 20, 1992, Board of Supervisors Room, Courthouse, Grundy, Virginia, and pursuant to authority granted to the Board's Chairman at the hearing of the Virginia Gas and Oil Board on June 16, 1992, at 9:00 a.m. at the Rhododendron Restaurant at the Breaks Interstate Park, Breaks, Virginia; and this Supplemental Order is being recorded for the purpose of (1) complying with the requirement of the Virginia Gas and Oil Board Regulations, 4 VAC 25-160.70C by supplementing the Order previously issued by the Board for subject Docket on August 21, 2007 and recorded in Deed Book 441, Page 652 in the Office of the Clerk of Circuit Court, Dickenson County, Virginia on August 22, 2007, (herein "Board Order") to complete the record regarding elections. The Board Order pooled all interest in Subject Drilling Unit including those of the Respondents more particularly set forth and identified by the Designated Operator in the affidavits attached hereto and made a part hereof. The Board finds it has jurisdiction over the subject matter pursuant to the provisions of the Virginia Gas and Oil Act, § 45.1-361.1 et seq., Virginia Code, 1950 as amended.
2. Findings: The Board finds that:
 - (a) The Board Order directed Equitable Production Company, (herein the Designated Operator"), to mail copies of the Board Order to all respondents whose interest, if any, were pooled by said Board Order;
 - (b) The designated operator filed its affidavit of mailing dated August 31, 2007, disclosing that it had mailed a correct copy of the Board's Order to all Respondents whose interest, if any, were pooled by said Board Order;

- (c) The Board Order required each Respondent whose interest, if any, were pooled by the terms of said Board Order to make his or her election within thirty (30) days after the date of mailing or recording, as applicable, of said Order; the Designated Operator has filed its affidavit dated April 8, 2008, in accordance with § 7.C of the Virginia Gas and Oil Board Regulations and 4 VAC 25-160.70C (herein "Affidavit of Election"), wherein it has, for each Respondent whose interest, if any, were pooled by said Board Order, stated: (i) whether each Respondent has made or failed to make a timely election; (ii) the nature of the election made, if any; (iii) whether, by reason of a failure to elect or to timely elect one or more Respondents are deemed, under the terms of the Board's Order, to have leased all their rights, title, interest, estates and claims in Subject Drilling Unit to the Designated Operator;
 - (d) The Board Order further required the Designated Operator, after expiration of the election period, to file with the Board a statement of the interests subject to escrow under the terms and provisions of the Board Order, in light of the elections made or deemed to have been made (herein "Statement of Interests"); that the Designated Operator furnished said Statement of Interests as part of its Affidavit of Election. A copy of which is attached hereto as Exhibit B;
 - (e) Current Board standards requiring the escrow of funds and the Board's agreement with its Escrow Agent, Wachovia Bank, N.A., VA7515, P.O. Box 14061, Roanoke, VA 24038, (540) 563-7764, Attn: Judy Barger, or any successor named by the Board, require the entry of a Supplemental Order establishing of record the elections made or deemed to have been made and specifying the sums or percentage thereof subject to escrow. Current Board escrow standards were made applicable to Subject Drilling Unit by a Board Order dated December 23, 1992.
3. Order: By this Order, the Board orders the Designated Operator to tender, consistent with and in accordance with the findings set forth at paragraph 2 above and the annexed Affidavits, any funds subject to escrow and instructs the Escrow Agent, Wachovia Bank, N.A., VA7515, P.O. Box 14061, Roanoke, VA 24038, (540) 563-7764, Attn: Judy Barger, or any successor named by the Board to establish interest-bearing escrow account(s), IRS Tax Identification Number 54-1629506, in accordance with the information set forth in said affidavits to receive such funds and account to the Board therefore.
4. Mailing of Order and Filing of Affidavit: The Designated Operator under the captioned Order or its Attorney shall file an affidavit with the Secretary of the Board within ten (10) days after the date of receipt of this Order stating that a true and correct copy of this Order was mailed to each person whose interest or claim is subject to escrow and whose address is known.
5. Conclusion: Therefore, the findings and all terms and provisions set forth above be and hereby are granted and IT IS SO ORDERED.
6. Effective Date: This Order shall be effective on the date of its execution.

DONE AND EXECUTED this 30th day of May,
2008, by a majority of the Virginia Gas and Oil Board.

VIRGINIA

BEFORE THE VIRGINIA GAS AND OIL BOARD

IN RE: Application of Equitable Production of Interest in Unit
Number VC-537212 VGOB Docket No. VGOB-07/03/20-1904 in the Kenady Magisterial
District of Dickenson County, Virginia.

DONE AND PERFORMED this 30th day of May,
2008, by Order of this Board.

James E. Kaiser (herein Affiant), being first duly sworn on oath, deposes and says:

1. That the Affiant is an attorney for the Designated Operator, w
Tennessee 37660, and is authorized to act as Agent for the
Virginia Gas and Oil Board

2. That the Order entered on August 21, 2007, by the Virginia Gas and Oil Board
STATE OF VIRGINIA)
COUNTY OF WASHINGTON)

Acknowledged on this 30th day of May,
2008, personally before me a notary public in and for the Commonwealth of Virginia,
appeared Benny Wampler, being duly sworn did depose and say that he is Chairman of
the Virginia Gas and Oil Board, and David E. Asbury, Jr., being duly sworn did depose
and say that he is Acting Principal Executive to the Staff of the Virginia Gas and Oil
Board, that they executed the same and were authorized to do so.

4. That the Order of the Virginia Gas and Oil Board required
all persons pooled thereby to file their written elections within
thirty (30) days of the date said Order was recorded in the county above named; that
said Order was recorded on August 22, 2007.

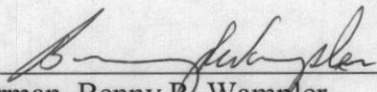
Diane Davis, Notary
0174394

My commission expires September 30, 2009

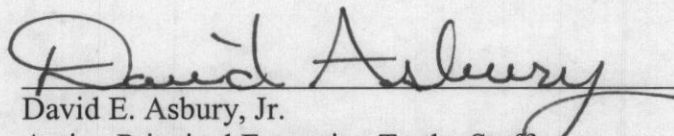
That the Designated Operator, by and through their agent, Wilhoit & Kaiser,
Attorneys-at-Law, have established procedures to review all mail received and all
written documents received by means other than by mail to ascertain whether parties
whose interest have been pooled have made a written election, in a timely fashion, as
required by the captioned Order; that said procedures were followed to identify the
elections, if any, made with regard to Subject Unit; that the following persons
delivered, by mail or otherwise, written elections to the Unit Operator, within the
thirty day election periods:

Tract	Name	Election
3	John W. Buchanan and Tammy Jenkins, h/w HC 05 Box 615 Coeburn, VA 24230	Cash Consideration

DONE AND EXECUTED this 30th day of May,
2008, by a majority of the Virginia Gas and Oil Board.

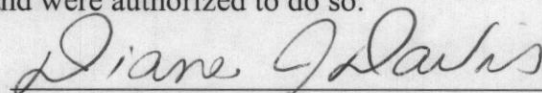

Chairman, Benny R. Wampler

DONE AND PERFORMED this 30th day of May,
2008, by Order of this Board.


David E. Asbury, Jr.
Acting Principal Executive To the Staff
Virginia Gas and Oil Board

STATE OF VIRGINIA)
COUNTY OF WASHINGTON)

Acknowledged on this 30th day of May,
2008, personally before me a notary public in and for the Commonwealth of Virginia,
appeared Benny Wampler, being duly sworn did depose and say that he is Chairman of
the Virginia Gas and Oil Board, and David E. Asbury, Jr., being duly sworn did depose
and say that he is Acting Principal Executive to the Staff of the Virginia Gas and Oil
Board, that they executed the same and were authorized to do so.


Diane Davis, Notary
0174394

My commission expires September 30, 2009

VIRGINIA:***BEFORE THE VIRGINIA GAS AND OIL BOARD***

IN RE: Application of Equitable Production Company, for Forced Pooling of Interests in Unit Number VC-537212 VGOB Docket No. VGOB-07/03/20-1904 in the Kenady Magisterial District of Dickenson County, Virginia.

AFFIDAVIT OF WILHOIT & KAISER, Attorneys-at-Law, Agents for the Designated Operator REGARDING ELECTIONS, ESCROW ACCOUNTS AND SUPPLEMENTAL ORDER

James E. Kaiser (herein Affiant), being first duly sworn on oath, deposes and says:

1. That the Affiant is an attorney in the law firm of WILHOIT & KAISER, the Agent for the Designated Operator, with offices located at 220 Broad Street, Kingsport, Tennessee 37660, and is authorized to give this Affidavit in its behalf;
2. That the Order entered on August 21, 2007, by the Virginia Gas and Oil Board regarding the captioned coalbed methane Unit required the Applicant to mail a true and correct copy of said Order to each person pooled by said Order;
3. That within seven (7) days of the receipt of an executed copy of the Order referred to at Paragraph 2. above, the Affiant was directed to cause a true and correct copy of said Order to be mailed via the United States Postal Service to each Respondent named in the captioned Application, whose address was known, and to all persons, if any, who are added as Respondents at the hearing held in the captioned matter;
4. That the Order of the Virginia Gas and Oil Board in the captioned matter required all persons pooled thereby to tender their written elections to the Unit Operator within thirty (30) days of the date said Order was recorded in the county above named; that said Order was recorded on August 22, 2007.
5. That the Designated Operator, by and through their agent, Wilhoit & Kaiser, Attorneys-at-Law, have established procedures to review all mail received and all written documents received by means other than by mail to ascertain whether parties whose interest have been pooled have made a written election, in a timely fashion, as required by the captioned Order; that said procedures were followed to identify the elections, if any, made with regard to Subject Unit; that the following persons delivered, by mail or otherwise, written elections to the Unit Operator, within the thirty day election periods:

<u>Tract</u>	<u>Name</u>	<u>Election</u>
3	John W. Buchanan and Tammy Jenkins, h/w HC 05 Box 615 Coeburn, VA 24230	Cash Consideration

6. That the interest and/or claims of the following persons (who made timely elections, or who are deemed under the terms of the Board's Order to have leased, or who, subsequent to the pooling hearing held in the captioned matter, have leased or otherwise entered into an agreement with the Designated Operator) are subject to escrow as either unknown claimants or conflicting claimants under the Board's Order pooling the captioned Unit, Board Regulations and the Code of Virginia; that opposite the name of each person named as a Respondent listed below is set forth:

<u>TRACT</u>	<u>LESSOR</u>	<u>LEASE STATUS</u>	<u>NET REVENUE INTEREST</u>
3	John W. Buchanan and Tammy Jenkins, h/w HC 05 Box 615 Coeburn, VA 24230	Unleased	0.01095000
OR			
3	Pine Mountain Oil & Gas, Inc. ATTN: Jerry Grantham P.O. Box 2136 Abingdon, VA 24212	Leased 244792 / TC-152	0.01095000

7. That after the pooling hearing held in the captioned matter, the following persons have leased or entered into a voluntary agreement with the Designated Operator with regard to their interest and/or claims.


NONE

8. That the following persons have not made a timely election and have failed to enter into an agreement with the Designated Operator and their respective interests shall be deemed to have leased pursuant to and in accordance with paragraph 10 of the Order.

<u>TRACT</u>	<u>LESSOR</u>	<u>CASH CONSIDERATION</u>
3	John W. Buchanan and Tammy Jenkins, h/w HC 05 Box 615 Coeburn, VA 24230	5.1500 x \$5.00 = \$25.75

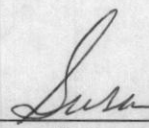
That pursuant to the provision of 4VAC 25-160.70C annexed hereto and incorporated herein is a proposed supplemental order to be entered to complete the record regarding elections; that said annexed supplemental order sets forth that the services of the Escrow Agent are required in this matter pursuant to the terms of §§ 45.1-361.21.D.

Dated at Kingsport, Tennessee, this 9th day of April 2008.




Affiant

Taken, subscribed and sworn to before me by James E. Kaiser, the Agent of Equitable Production Company, a corporation, on behalf of the corporation, this 9th day of April 2008.



Susan Peterson, Notary



My commission expires: November 12, 2008

EXHIBIT "B"
VC-537212
VGOB 07/03/20-1904

<u>TRACT</u>	<u>LESSOR</u>	<u>LEASE STATUS</u>	<u>INTEREST WITHIN UNIT</u>	<u>GROSS ACREAGE IN UNIT</u>	<u>NET REVENUE INTEREST</u>
	<u>Gas Estate Only</u>				
1 TAX ID 1829781 & 1829780	<u>N.J. Buchanan Heirs:</u>				
	James M. Coleman & Delores Coleman, h/w 541 Ranier St. NE Palm Bay, FL 32907-1363	Leased 905495	1.704286%	1.0014	0.00213036 RI
	Joan Buchanan Choate 916 South View Drive Marion, VA 24354	Leased 905495	2.556429%	1.5021	0.00319554 RI
	Mary Coleman Samsel & Alex Samsel, w/h 3513 Osceola Drive Melbourne, FL 32901	Leased 905495	1.704286%	1.0014	0.00213036 RI
	Mae Coleman, widow 3513 Osceola Drive Melbourne, FL 32901	Leased 905495	1.704286%	1.0014	0.00213036 RI
	Janice Eva Buchanan Lovelace & Robert J. Lovelace, w/h 8202 Barren Road Roanoke, VA 24019-2309	Leased 905495	2.556429%	1.5021	0.00319554 RI
	Louise Thomason, single 1175 Black Duck Court Virginia Beach, VA 23451	Leased 905495	1.704286%	1.0014	0.00213036 RI
	Rita Jo English & Ralph English, w/h 205 River Oaks Road Alta Vista, VA 24517	Leased 905495	1.704286%	1.0014	0.00213036 RI
	Delores B. Smith & Donald Smith, w/h Rt. 2 Box 2F Clintwood, VA 24228	Leased 905495	0.852143%	0.5007	0.00106518 RI
	Billy Lee Buchanan, Single Box 125 Pioneer St. Clintwood, VA 24228	Leased 905495	0.852143%	0.5007	0.00106518 RI
	Francis Sherwood Wright Hughes & Marshall Hughes, w/h PO Box 694 Clintwood, VA 24228	Leased 905495	5.112857%	3.0043	0.00639107 RI

	Sue Ann Thomason Marsh & John Demar Marsh, w/h 820 Park St. Bristol, VA 24201	Leased 905495	1.704286%	1.0014	0.00213036	RI
	Mary Crabtree Buchanan, widow PO Box 748 Clintwood, VA 24228	Leased 905495	0.852143%	0.5007	0.00106518	RI
	Carol P. Buchanan, widow PO Box 1006 Wise, VA 24293	Leased 905495	5.112857%	3.0043	0.00639107	RI
	Paul D. Buchanan & Vonda Buchanan, h/w Westend Street Clintwood, VA 24228	Leased 905495	0.852143%	0.5007	0.00106518	RI
	Marshall Thomas Buchanan & Joann Buchanan, h/w 15325 Lee Hwy Bristol, VA 24202	Leased 905495	0.852143%	0.5007	0.00106518	RI
	John King Buchanan & Bonnie Buchanan, h/w 502 Lynnwood Drive Bristol, VA 24201-1914	Leased 905495	0.852143%	0.5007	0.00106518	RI
	Jean Buchanan Deel, widow 2120 Tallwood Drive Kingsport, TN 37660	Leased 905495	1.704286%	1.0014	0.00213036	RI
	H.W. Buchanan & Norma Buchanan, h/w 740 Chilhowee Lane Bean Station, TN 37708-6732	Leased 905495	1.704286%	1.0014	0.00213036	RI
	Cynthia Juanita Buchanan, widow 2120 Tallwood Drive Kingsport, TN 37660	Leased 905495	1.704286%	1.0014	0.00213036	RI
	Equitable Production				0.31316250	WI
Tract 1 Totals			35.790000%	21.0300	0.35790000	
2 TAX ID 1828033	Pine Mountain Oil & Gas, Inc. Attn: Jerry Grantham P.O. Box 2136, Abingdon, VA 24212	241490 / T-180	55.450000%	32.5900	0.06931250	RI
	Equitable Production				0.48518750	WI
Tract 2 Totals			55.450000%	32.5900	0.55450000	
3 TAX ID 11031	John W. Buchanan and Tammy Jenkins, h/w HC 05 Box 615 Coeburn, VA 24230	Unleased Cash Consideration	8.760000%	5.1500	0.01095000	RI
	Equitable Production				0.07665000	WI
Tract 3 Totals			8.760000%	5.1500	0.08760000	
TOTAL GAS ESTATE			100.000000%	58.7700	100.000000%	

BK 455PG 133

Coal Estate Only

1	Pine Mountain Oil & Gas, Inc.	Leased	35.790000%	21.0300	0.04473750	RI
TAX ID 1839	ATTN: Jerry Grantham	244792 /				
	P.O. Box 2136	TC-152				
	Abingdon, VA 24212					
	Equitable Production				0.31316250	WI
Tract 1 Totals			35.790000%	21.0300	0.35790000	
2	Pine Mountain Oil & Gas, Inc.	241490 /	55.450000%	32.5900	0.06931250	RI
TAX ID 1828033	ATTN: Jerry Grantham	T-180				
	P.O. Box 2136					
	Abingdon, VA 24212					
	Equitable Production				0.48518750	WI
Tract 2 Totals			55.450000%	32.5900	0.55450000	
3	Pine Mountain Oil & Gas, Inc.	Leased	8.760000%	5.1500	0.01095000	RI
TAX ID 1839	ATTN: Jerry Grantham	244792 /				
	P.O. Box 2136	TC-152				
	Abingdon, VA 24212					
	Equitable Production				0.07665000	WI
Tract 3 Totals			8.760000%	5.1500	0.08760000	
TOTAL COAL ESTATE			100.000000%	58.7700	100.000000%	

INSTRUMENT #0800001386
 RECORDED IN THE CLERK'S OFFICE OF
 DICKENSON ON
 JULY 10, 2008 AT 11:18AM

RICHARD W. EDWARDS, CLERK
 RECORDED BY: JBM

VIRGINIA: IN THE OFFICE OF THE CLERK OF THE CIRCUIT COURT OF DICKENSON COUNTY, 7/10, 2008. This deed was this day
 presented in said office, and upon the certificate of acknowledgment thereto annexed, admitted to record at 11:18 o'clock A.M., after payment of
 \$ 0 tax imposed by Sec. 58.1-802.

Original returned this date to: Mary Davis

TESTE: RICHARD EDWARDS, CLERK
 BY: Richard Edwards CLERK